

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**ANTHONY WAYNE PIERCE and ALICIA  
ARTRELL PIERCE**

**Case No. 10-80697**

S.S. Nos.: xxx-xx-4193 and xxx-xx-5310

Mailing Address: 3712 APPLING WAY, Durham, NC 27703-

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on April 22, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: May 10, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)				Date: 3/17/10																																													
				Lastname-SS#: Pierce-5310																																													
<b>RETAIN COLLATERAL &amp; PAY DIRECT OUTSIDE PLAN</b>																																																	
Retain	Creditor Name	Sch D #	Description of Collateral																																														
	Verizon		Cellular Service																																														
<b>SURRENDER COLLATERAL</b>																																																	
Creditor Name		Description of Collateral																																															
<b>ARREARAGE CLAIMS</b>																																																	
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)																																													
				**																																													
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				**																																													
	Wells Fargo - 1st DOT	4	\$25,500	**																																													
				**																																													
<b>REJECTED EXECUTORY CONTRACTS/LEASES</b>																																																	
Creditor Name		Description of Collateral																																															
<b>LTD - DOT ON PRINCIPAL RESIDENCE &amp; OTHER LONG TERM DEBTS</b>																																																	
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
	Wells Fargo - 1st DOT	4	\$1,654	N/A	n/a	\$1,654.00	Residence																																										
				N/A	n/a		Residence																																										
				N/A	n/a																																												
				N/A	n/a																																												
<b>STD - SECURED DEBTS - a FMV</b>																																																	
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
	HFC	3		5.00			Residence																																										
				5.00																																													
				5.00																																													
				5.00																																													
<b>STD - SECURED DEBTS - a 100%</b>																																																	
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
	Auto Finance - 910	1	\$29,000	5.00	\$215	\$563.93	2004 BMW 745																																										
				5.00																																													
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>ATTORNEY FEE (Unpaid part)</b></td> <td>Amount</td> </tr> <tr> <td colspan="2">Law Offices of John T. Orcutt, P.C.</td> <td>\$1,000</td> </tr> <tr> <td colspan="2"><b>SECURED TAXES</b></td> <td>Secured Amt</td> </tr> <tr> <td colspan="2">IRS Tax Liens</td> <td></td> </tr> <tr> <td colspan="2">Real Property Taxes on Retained Realty</td> <td></td> </tr> <tr> <td colspan="2"><b>UNSECURED PRIORITY DEBTS</b></td> <td>Amount</td> </tr> <tr> <td colspan="2">IRS Taxes</td> <td></td> </tr> <tr> <td colspan="2">State Taxes</td> <td></td> </tr> <tr> <td colspan="2">Personal Property Taxes</td> <td></td> </tr> <tr> <td colspan="2">Alimony or Child Support Arrearage</td> <td></td> </tr> <tr> <td><b>CO-SIGN PROTECT (Pay 100%)</b></td> <td>Int. %</td> <td>Payoff Amt</td> </tr> <tr> <td>All Co-Sign Protect Debts (See*)</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>GENERAL NON-PRIORITY UNSECURED</b></td> <td>Amount**</td> </tr> <tr> <td>DMI=</td> <td>None(\$0)</td> <td>None(\$0)</td> </tr> </table>								<b>ATTORNEY FEE (Unpaid part)</b>		Amount	Law Offices of John T. Orcutt, P.C.		\$1,000	<b>SECURED TAXES</b>		Secured Amt	IRS Tax Liens			Real Property Taxes on Retained Realty			<b>UNSECURED PRIORITY DEBTS</b>		Amount	IRS Taxes			State Taxes			Personal Property Taxes			Alimony or Child Support Arrearage			<b>CO-SIGN PROTECT (Pay 100%)</b>	Int. %	Payoff Amt	All Co-Sign Protect Debts (See*)			<b>GENERAL NON-PRIORITY UNSECURED</b>		Amount**	DMI=	None(\$0)	None(\$0)
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DMI=	None(\$0)	None(\$0)																																															
<b>PROPOSED CHAPTER 13 PLAN PAYMENT</b>																																																	
\$ <b>\$2,802</b> per month for <b>60</b> months, then \$ <b>N/A</b> per month for <b>N/A</b> months.																																																	
Adequate Protection Payment Period: _____ months.																																																	
Sch D # = The number of the secured debt as listed on Schedule D.																																																	
Adequate Protection = Monthly 'Adequate Protection' payment amt.																																																	
† = May include up to 2 post-petition payments.																																																	
* Co-sign protect on all debts so designated on the filed schedules.																																																	
** = Greater of DMI x ACP or EAE (Page 4 of 4)																																																	
Ch13Plan_MD (DeSardi Version 1/12/10) © LOJTO																																																	
<b>Other Miscellaneous Provisions</b>																																																	
Plan to allow for 3 "waivers".																																																	

## **CERTIFICATE OF SERVICE**

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s WILLIAM MCDONALD  
WILLIAM MCDONALD

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Capital One Bank\*\*  
Attn: Bankruptcy Department  
Post Office Box 85167  
Richmond, VA 23285-5167

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Chase  
201 N. Walnut Street  
DE1-1027  
Wilmington, DE 19801

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

ANF MEDCO CHANNEL  
Dept. 287  
1620 Century Ctr Parkway  
Ste 109  
Memphis, TN 38134

Duke University Hospital  
Post Office Box 91040  
Durham, NC 27708-1040

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Associated Recovery Systems  
Post Office Box 463023  
Escondido, CA 92046-3023

Durham County EMS  
402 Stadium Drive  
Durham, NC 27704

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Associated Recovery Systems  
Post Office Box 469046  
Escondido, CA 92046-9046

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Attn: Betty L. Cormier  
Department of Veterans Affairs  
Regional Office  
6900 Alameda Road  
Houston, TX 77030-4200

Federal Housing Authority\*\*  
Department of HUD  
1500-401 Pine Croft Road  
Greensboro, NC 27407

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Brock & Scott, PLLC  
5431 Oleander Drive  
Suite 200  
Wilmington, NC 28403

GEMBPPBYCR  
Post Office Box 981064  
El Paso, TX 79998

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Capital One Auto Finance  
Post Office Box 260848  
Plano, TX 75026-0848

Global Credit & Collection Corp.  
300 International Drive  
PMB #10015  
Williamsville, NY 14221

HFC  
Post Office Box 3425  
Buffalo, NY 14240

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

HSBC Bank  
Post Office Box 52530  
Carol Stream, IL 60196

Providian National Bank\*\*  
Post Office Box 660490  
Dallas, TX 75266-0490

HSBC Bank  
Post Office Box 5251  
Carol Stream, IL 60197-9642

Regional Anesthesia, PLLC  
Post Office Box 15609  
Durham, NC 27704-0609

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Sallie Mae  
Post Office Box 9500  
Wilkes Barre, PA 18773-9500

Jeremy B. Wilkins  
C/o Brock & Scott, PLLC  
5431 Oleander Drive  
Suite 200  
Wilmington, NC 28403

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

US Dept of ED  
PO Box 7202  
Utica, NY 13504

LabCorp (Laboratory Corporation)  
Post Office Box 2240  
Burlington, NC 27216-2240

Veterans Administration (Middle)\*\*  
Regional Office  
251 North Main Street  
Winston-Salem, NC 27155

Medco Health Solutions  
15001 Trinity Boulevard, Ste 300  
Fort Worth, TX 76155

WaMu  
P.O. Box 660433  
Dallas, TX 75266-0433

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Wells Fargo Home Mortgage  
P.O Box 10368  
Des Moines, IA 50306-0368